

# UNITED STATES DISTRICT COURT

for the

District of South Carolina

United States of America )

Case No: 4:05-cr-471-001 (TLW)USM No: 12711-171

-versus- )

Pro se

Defendant's Attorney

Kenyatta Darron Smith )

Date of Previous Judgment: August 16, 2006 )*(Use Date of Last Amended Judgment if Applicable)* )

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is **DENIED** (Doc. # 165). This case does not qualify because the sentence is the mandatory minimum with no 5K1.1 departure.

**IT IS SO ORDERED.**

Order Date: August 22, 2012s/ Terry L. Wooten*Judge's signature*

Effective Date:  
*(if different from above)*

Terry L. Wooten, United States District Judge